

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Civil No. 05-2036(DSD/JJG)

Finucane Enterprises, Inc.,  
a Kansas corporation,

Plaintiff,

v.

**ORDER**

Arizant Healthcare, Inc.,  
Augustine Medical, Inc., and  
Citigroup Venture Capital  
Equity Partners, L.P.,

Defendants.

This matter is before the court upon the report and recommendation of Magistrate Judge Jeanne J. Graham dated April 29, 2008. The court reviews the report and recommendation of the magistrate judge de novo. 28 U.S.C. § 636(b)(1)(C); D. Minn. LR 72.2(b). No objections have been filed to the report and recommendation in the time period permitted. Therefore, the court adopts the well reasoned report and recommendation of the magistrate judge [Doc. No. 37] in its entirety.

Accordingly, **IT IS HEREBY ORDERED** that all claims in this litigation are dismissed with prejudice for failure to prosecute, and this litigation is dismissed in its entirety.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 13, 2008

s/David S. Doty  
David S. Doty, Judge  
United States District Court